



Honorable Mike K. Nakagawa  
United States Bankruptcy Judge



Entered on Docket  
March 02, 2015

Lars K. Evensen  
Nevada Bar No. 8061  
Joseph G. Went  
Nevada Bar No. 9220  
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, NV 89134  
Phone: (702) 669-4631  
Fax: (702) 669-4650  
[levensen@hollandhart.com](mailto:levensen@hollandhart.com)  
[jgwent@hollandhart.com](mailto:jgwent@hollandhart.com)

*Attorneys for Creditor Select Portfolio Servicing, Inc.*

**THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA**

IN RE:

LAWRENCE AUGUSTUS GRIHALVA,  
  
Debtor.

**CASE NO.: BK-S-11-26893-MKN  
CHAPTER: 7**

**ORDER  
APPROVING SETTLEMENT**

**Hearing Date: January 28, 2015  
Hearing Time: 2:30 pm**

This Court called for hearing the matter of Debtor Lawrence A. Grihalva's Motion to Reopen Chapter 7 Case and to Hold Select Portfolio Servicing, Inc. in Contempt for Violating the Discharge Injunction under 11 U.S.C. §524(a)(2) and for Sanctions and Attorney Fees (the "Motion"). Select Portfolio Servicing, Inc. ("SPS") timely filed an Opposition to the Motion (the "Opposition") and the Debtor timely filed a Reply to SPS's Opposition. All pleadings were properly served.

Appearing on behalf of the Debtor was Christopher Burke, Esq., and appearing on behalf SPS was Lars Evensen, Esq. of the law firm Holland & Hart LLP. Upon calling the matter,

1 Counsel for the Debtor and SPS informed the Court they resolved the dispute. Counsel then put  
2 on the record of the Court the proposed settlement between the parties as follow:

3 1) SPS, in consideration for the settlement of this dispute, shall pay \$7,500 to the Debtor  
4 Lawrence A. Grihalva (the "Settlement Funds"). SPS shall pay the Debtor within 15-days after  
5 the entry of this Order, by tendering said funds to Debtor's Counsel Christopher Burke, Esq.

6 2) SPS's entry into this settlement and the payment of the Settlement Funds shall not be  
7 construed or deemed as an admission of any form by SPS.

8 3) The Debtor Lawrence A. Grihalva, in consideration for the settlement of this dispute,  
9 shall make all reasonable efforts to assist SPS in exercising its remedies in connection with a  
10 certain property, which is located at the common address of 56 E. Serene Ave Unit 120, Las  
11 Vegas, Nevada 89123 (the "Property"). The Debtor's assistance may include, but is not limited  
12 to, vacating the Property – including any tenants - within 15-days of a written request provided  
13 to Debtor's Counsel Christopher Burke, Esq., the execution of a deed in lieu of foreclosure,  
14 stipulation to a judicial foreclosure on the Property, and/or not take any act or action to delay or  
15 disrupt any non-judicial foreclosure upon the Property.

16 4) SPS and Debtor Lawrence A. Grihalva shall mutually and generally release each other,  
17 their agents, counsel, and affiliates, from any claims or actions arising from or related to the  
18 subject of the Motion entitled Reopen Chapter 7 Case and to Hold Select Portfolio Servicing,  
19 Inc. in Contempt for Violating the Discharge Injunction under 11 U.S.C. §524(a)(2) and for  
20 Sanctions and Attorney Fees, other than the obligations set forth herein.

21 5) This Court shall retain jurisdiction to resolve any dispute by and between the Debtor  
22 and SPS regarding their settlement agreement.

23 **THIS COURT** having consider the proposed settlement by and between Debtor and SPS  
24 and for good cause appearing,

25 ///



**CERTIFICATION OF COUNSEL re: RULE 9021:**

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

\_\_\_\_\_ The court has waived the requirement set forth in LR 9021(b)(1).

\_\_\_\_\_ No party appeared at the hearing or filed an objection to the motion.

XX I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below.

\_\_\_\_\_ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

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ATTORNEY	APPROVED	DISAPPROVED	NO RESPONSE
Christopher Burke, Esq.	XX		

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

*/s/ Lars Evensen*

\_\_\_\_\_  
Lars K. Evensen, Esq. 8061

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